

**REMARKS****I. Status of the Claims:**

Claims 1-4 are currently pending in the application. By this Amendment, claim 3 has been canceled without prejudice or disclaimer and claims 1 and 2 have been amended and new claims 5 and 6 have been added.

Upon entry of this Amendment, claims 1, 2 and 4-6 would be pending. No new matter has been introduced by this Amendment. Thus, entry and consideration of this Amendment are respectfully requested.

**II. Information Disclose Statement:**

The Examiner has not considered the foreign references submitted in the IDSs filed on 8/13/04 and 5/16/05 because the IDSs do not allegedly include a concise explanation of the relevance of each foreign reference listed that is not in the English language.

The Applicant respectfully submit that the English Abstracts submitted along with the foreign patent documents satisfy this requirement. See MPEP §609.04(a) (stating in section III that "Submission of an English language abstract of a reference may fulfill the requirement for a concise explanation."). As such, consideration of these foreign references submitted in the IDSs are respectfully requested.

**III. Claim Objections:**

Claim 1 is objected to because of the minor informalities. Claim 1 has been amended to address the Examiner's concerns.

**IV. Rejections under 35 U.S.C. § 112:**

Claims 1-3 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 1 has been amended to address the antecedent basis issues. Thus, reconsideration and withdrawal of this rejection are respectfully requested.

**V. Rejections under 35 U.S.C. § 102:**

Claims 1-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Grinvald et al. (US 6,478,424).

Claim 1, as amended, is directed to an arrangement involving picking-up images of an eye to be examined; adjusting image pickup conditions for picking-up the images of the eye to be examined; storing of image pickup conditions in relation to the picked up images respectively; correcting a display condition of a target image which is not a designated reference image, based on the image pickup condition of the designated reference image and the target image; and controlling a display of the target image based on the corrected display condition.

As claimed, an image pickup condition is stored in relation to the picked up image after adjustment.

On the contrary, Grinvald as relied upon by the Examiner describes an approach which is different than the claimed arrangements. Grinvald shows to subtract a background image in which the reflectance ratio of retina or fluorescence image does not vary from a respective fluorescence image so as to make the response of the retina clear.

Grinvald fails to teach or suggest to store the image pick-up condition in relation to the picked up image after adjustment. The method shown in the Grinvald reference is not effective for the adjusted image. Even if the each of adjusted images is selected as the reference

image, the images obtained by subtracting the selected reference image from the adjusted images become images without differences. That is because the adjusted images are obtained by making the image having the same or near brightness level.

Furthermore, in view of the above, it necessarily follows that Grinvald is silent as to correcting a display condition of a target image which is not a designated reference image, based on the image pickup condition of the designated reference image and the target image; and controlling a display of the target image based on the corrected display condition. The Office Action does not adequately address how these claimed aspects are taught by the cited reference, particularly with respect to the storing operation, i.e., what is being relied upon to read on the stored image pickup condition and the picked up image.

Accordingly, claim 1 and its dependent claims are not anticipated by Grinvald and are distinguishable over the same. For similar reasons, claim 4 is also believed to be distinguishable over the cited reference.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

**AUTHORIZATION**

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 1232-5334.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4500, Order No. 1232-5334.

Respectfully submitted,  
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